

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE

Richard A. Hilton, Sr.,  
Petitioner

v.

Case No. 09-cv-86-SM

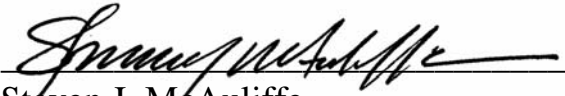
Northern NH Correctional  
Facility, Warden,  
Respondent

ORDER

I herewith approve the Report and Recommendation of Magistrate Judge Muirhead dated January 21, 2010, no objection having been filed, for the reasons set forth therein. The petition is hereby dismissed. Additionally, finding that the petitioner has failed to make a substantial showing of the denial of a constitutional right, the court declines to issue a certificate of appealability. See 28 U.S.C. § 2253(c)(2); Rule 11, Rules Governing Habeas Corpus Cases Under Section 2254; First Cir. LR 22.0.

SO ORDERED.

February 12, 2010

  
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Steven J. McAuliffe  
Chief Judge

cc: Richard A. Hilton, Sr., pro se